

PATENT
Customer No. 73,442
Attorney Docket No. 81044893

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Vincent JENNINGS et al.)
Application No.: 10/519,168) Group Art Unit: 3616
Filed: December 20, 2004) Examiner: T. L. Webb
For: VEHICLE CHASSIS) Confirmation No.: 5273
)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

The above-identified application became abandoned for failure to file a timely and proper response to the Office Action mailed on March 2, 2007, which set a three month period for response. The abandonment date of this application was September 3, 2007 (i.e., the day after the expiration date of the period set for response plus any extensions of time obtained therefor). The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. § 1.137(b) was unintentional.

In March of 2007, the secretary supporting Fredrick V. Owens, the Ford Global Technologies patent attorney prosecuting this application, retired. At the same time, Ford's patent department was downsizing and implementing new processes for

administrative support. The new administrative support processes included new responsibilities and procedures for docketing communications received from the U.S. Patent and Trademark Office. During this transition, the Office Action mailed March 2, 2007 was not docketed. Indeed, it does not appear that anyone having responsibility for entering the Office Action into Ford's docketing system ever reviewed and considered the Office Action. The first time Mr. Owens became aware of the Office Action was upon receiving the Notice of Abandonment mailed September 19, 2007.

Upon receiving the Notice of Abandonment, Mr. Owens located and reviewed the application file to determine whether the Notice of Abandonment was appropriate. After determining that the Office Action had not been docketed and therefore an appropriate response to the Office Action had not been filed, Mr. Owens contacted appropriate personnel at Ford and in the United Kingdom to confirm that the abandonment was not intentional and to determine whether revival of the application should be sought. When it was decided that revival should be sought, Mr. Owens reviewed the invention disclosure, the prior art of record, and the pending Office Action. Mr. Owens then sought outside counsel, the undersigned attorney, to file a Petition for Revival and appropriate additional documents.

The undersigned attorney gathered facts relevant to this Petition and reviewed the file history, the invention disclosure, the pending Office Action, and the prior art of record. Prior art reference DE 340168 had to be translated from German to English

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because no English-language family member or abstract was available. The undersigned attorney then prepared this Petition for Revival, a Response under 37 CFR 1.111, and an Information Disclosure Statement. To avoid further delay in filing this Petition, it is being submitted without an Information Disclosure Statement. The Information Disclosure Statement will be submitted upon receipt of a translation for DE 340168.

Applicants hereby petition for revival of this application. The petition fee of \$1540.00 is enclosed.

In addition, Applicants submit a response to the above-noted Office action in the form of a Response under 37 CFR 1.111. Because this application was filed on or after June 8, 1995, no terminal disclaimer is required.

If there are any other fees due in connection with the filing of this Petition and Response, please charge those fees to our Deposit Account No. 50-4126.

Respectfully submitted,

O'BRIEN JONES, PLLC

Dated: April 28, 2008

By: /Jill DeMello Hill, Reg. No. 42,477/
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